
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

RONALD MICHAEL WOODWARD,

Plaintiff,

v.

MASTERCARD DIRECT EXPRESS; and
SOCIAL SECURITY DISABILITY,

Defendants.

**ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING COMPLAINT WITHOUT
PREJUDICE**

Case No. 2:16-CV-1110

District Judge Jill N. Parrish

Pro se Plaintiff Ronald Michael Woodward, proceeding in forma pauperis (“IFP”), filed this complaint on November 22, 2016. (ECF No. 4). The court subsequently referred the case to Magistrate Judge Evelyn J. Furse pursuant to 28 U.S.C. § 636(b)(1)(B). (ECF No. 6). Magistrate Judge Furse screened Mr. Woodward’s complaint as required by the IFP statute, and on June 29, 2018, she issued a Report and Recommendation that Mr. Woodward’s complaint be dismissed for lack of subject matter jurisdiction. (ECF No. 7).

Mr. Woodward did not file an objection to the Report and Recommendation, and therefore waived any argument that it was in error. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). The court will decline to apply the waiver rule only if “the interests of justice so dictate.” *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). The court has reviewed the Report and Recommendation and concludes that it is not clearly erroneous and finds that the interests of justice do not warrant deviation from the waiver rule.

Accordingly, the court **ADOPTS** the Report and Recommendation to dismiss the Plaintiff's complaint. The court **ORDERS** that Plaintiff's action be **DISMISSED WITHOUT PREJUDICE**.

Signed October 2, 2018

BY THE COURT



Jill N. Parrish
United States District Court Judge